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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 JOSEPH NOSAL,

12 Plaintiff,

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14 v.

15 MERCEDES-BENZ USA, LLC; and
16 DOES 1-10,

17 Defendants.
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Case No. 2:24-cv-00907-AB-AS


**JUDGMENT PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 68**

*Assigned for all purposes to the Hon.
Andre Briotte Jr.*

23 Plaintiff, Joseph Nosal (Plaintiff”) has accepted defendant Mercedes-
24 Benz USA LLC's (“MBUSA” or “Defendant”) Offer of Judgment pursuant to
25 Rule 68 of the Federal Rules of Civil Procedure. The Court therefore ENTERS the
26 following Judgment:
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- 1 1. Judgment is entered in favor of Plaintiff and against Defendant in the sum of
2 \$58,000, plus any additional lease payments made by Plaintiff on or after
3 March 7, 2024. In addition, MBUSA will pay Mercedes-Benz financial
4 services USA LLC directly the remaining amounts necessary to repurchase
5 the 2020 Mercedes Benz E53C4 ("Subject Vehicle"), (including without
6 limitation any remaining payments, the lease and buyout amount, and
7 termination fees, if applicable), and obtain clear title. MBUSA will pay this
8 amount within 7 ("7") days after plaintiff delivers the Subject Vehicle to
9 MBUSA.
- 10 2. Plaintiff will deliver the, to MBUSA on a date, time, and place mutually
11 agreeable no later than 45 ("45") days from the date this Judgment is entered.
- 12 3. Plaintiff will surrender the subject vehicle with clear title, free and clear of all
13 the ends and encumbrances, other than any outstanding loan amounts, which
14 MBUSA will discharge itself by payment of the outstanding loan balance.
- 15 4. Plaintiff's attorneys' fees and costs will be paid by Defendant pursuant to
16 Civil Code Section 1794 (d), to be determined by this court to have been
17 reasonably incurred by Plaintiff in connection with the commencement and
18 prosecution of this action. The parties must meet and confer thoroughly
19 concerning any anticipated motion for attorneys' fees, and such motion
20 must comply with the FRCP, Local Rules, and this Court's Standing Order.
21 For purposes of the fee motion, Plaintiff is the prevailing party.
- 22 5. MBUSA waves all claims it may have for costs and fees.
- 23 6. The Motion for Remand [Dkt. No. 8] is **DENIED** as moot.

24 Dated: February 22, 2024



Honorable Judge Andre Briotte Jr.
Judge for the Central District of California